

UNITED STATES BANKRUPTCY COURT  
EASTERN DISTRICT OF NEW YORK

X

In Re:

Chapter 11

99 SUTTON LLC,

Case No. 21-43124-ess

Debtor.

X

**ORDER AUTHORIZING RETENTION OF WACHTEL  
MISSRY LLP AS SPECIAL REAL ESTATE COUNSEL FOR  
THE DEBTOR**

Upon the annexed application of 99 Sutton LLC, the debtor and debtor in possession (“Debtor”), for authority pursuant to section 327(a) of title 11 of the United States Code (the “Bankruptcy Code”) to retain Wachtel Missry LLP (“Wachtel Missry”) as its special real estate counsel, and upon the annexed certification of Dani Schwartz, Esq.; and it appearing that Wachtel Missry, by Mr. Schwartz, a partner thereof, is an attorney duly admitted to practice in this Court, and upon the third-party Lar-dan declaration of Joseph Torres, and the Court being satisfied that Wachtel Missry represents no interest adverse to the Debtor or to the estate in the matters upon which Wachtel Missry is to be engaged and that its employment is necessary and in the best interests of the estate, it is

**ORDERED**, that pursuant to section 327(e), the Debtor be, and it is hereby, authorized to retain Wachtel Missry its special real estate counsel in the within case under chapter 11 of the Bankruptcy Code effective as of March 1, 2022; and it is further

**ORDERED**, that compensation to Wachtel Missry for services rendered to the Debtor hereafter shall be upon proper application on notice and hearing to the Court pursuant to §§ 330 and 331 of the Bankruptcy Code, Bankruptcy Rule 2014, E.D.N.Y.L.B.R.2014-1, and the Guidelines of the Office of the United States Trustee; *provided, however*, that no Cash Collateral (as such term is defined in the *Final Order (I) Authorizing Use of Cash Collateral and Affording Adequate Protection; (II) Modifying the Automatic Stay; and (III) Granting Related Relief* [Docket No. 32]) of 99 Sutton Lender LLC shall be used to compensate Wachtel Missry;

**ORDERED**, that Wachtel Missry shall not change its billing rate in this case without an order of the Court permitting same; and it is further

**ORDERED**, that Wachtel Missry shall use its best efforts to avoid any duplication of services provided by any of the Debtor's other retained professionals in this chapter 11 case; and it is further

**ORDERED**, that Wachtel Missry shall not split its fees in this case with any other professional.

NO OBJECTION:

Office of the United States Trustee

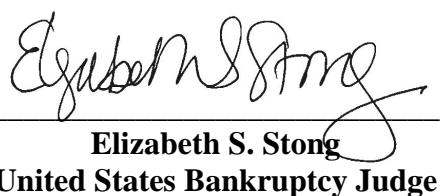
By: /s/ Jeremy S. Sussman, Esq.

Jeremy S. Sussman

Dated: May 19, 2022

**Dated: Brooklyn, New York**  
**May 20, 2022**



  
**Elizabeth S. Stong**  
**United States Bankruptcy Judge**